

Fact Sheet:

Protection of Vulnerable Adults

1-866-EndHarm

Toll free: 1-866-363-4276 or

TTY 1-800-737-7931

By law, Chapter 74.34 RCW, a **vulnerable adult** is defined as:

Any adult 60 years or older who cannot take care of him or herself; or

Adults 18 years or older and:

- Have a legal guardian
- Have a developmental disability
- Live in a facility licensed by DSHS/ADSA
- Receive services from a DSHS contracted individual provider
- Receive in-home services through a licensed health, hospice, or home care agency or
- Have a personal care aide who performs care under his/her direction for compensation, per 74.39.050 RCW.

Aging and Disability Services Administration (ADSA) receives and investigates reports of abuse (physical, mental, sexual, and exploitation of person), abandonment, neglect, self-neglect, and financial exploitation of vulnerable adults.

In 2004, ADSA received more than 37,700 reported concerns about suspected abuse, neglect, self-neglect, financial exploitation and abandonment of vulnerable adults, as well as concerns about quality of life or quality of care. These numbers include reports from community members as well as self-reports from mandated reporters such as nursing homes, adult family homes and boarding homes.

Mandatory Reporters

By law, certain professionals must report suspected abuse. Mandatory reporters are: DSHS employees; individual providers contracted to provide services to a DSHS client; county coroners or medical examiners; employees of a facility licensed by DSHS, including boarding homes, adult family homes, nursing homes, residential habilitation centers, and soldiers' homes; social workers; health care providers as defined in RCW 18.130, such as a doctor or nurse; Christian Science practitioners; employees of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; law enforcement officers; and professional school personnel. All mandated reporters should call the proper Adult Protective Services or Complaint Resolution Unit phone number directly to make their report.

DSHS has made it easy for the **general public** to report suspected abuse by establishing the toll-free number 1-866 EndHarm (1-866-363-4276; TTY 1-800-737-7931.)

Suspected abuse, abandonment, neglect, or financial exploitation in a nursing home, boarding home, or adult family home

Calls about suspected abuse or neglect in a nursing home, boarding home, or adult family home go to the Complaint Resolution Unit (CRU) in ADSA Residential Care Services (RCS) Division at 1-800-562-6078. The CRU received almost 24,000 complaints in 2004.

When an allegation of abuse, neglect, or misappropriation of resident funds is received by RCS, investigation response times range from two working days to 45 working days. Calls from the hotline are processed on a daily basis, and the information is reviewed and prioritized for investigation. Complainants are called back for additional information.



The facility is responsible to ensure safe and quality care for each resident. RCS holds the facility responsible throughout the complaint investigation process.

RPP's four investigators investigate allegations made against nursing home employees.

Regional APS Reporting Numbers

Region 1: 1-800-459-0421
TTY: 1-509-568-3086

Region 2: 1-877-389-3013
TTY: 1-800-973-5456

Region 3: 1-800-487-0416
TTY: 1-800-843-8058

Region 4: 1-866-221-4909
TTY: 1-800-977-5456

Region 5:
Pierce: 1-800-442-5129
TTY: 1-800-688-1165

Kitsap: 1-888-833-4925
TTY: 1-800-688-1169

Region 6: 1-877-734-6277
TTY: 1-800-672-7091

Concerns that are serious or pose life-threatening harm to a resident living in a nursing home, boarding home, or adult family home are investigated more quickly than issues that are of lower risk. Professional nurses review all of the complaints received by RCS to establish the investigative priority.

Fourteen RCS nurses investigate complaints in the adult family home and boarding home setting. Another fourteen nurses investigate complaints in the nursing homes.

If an investigation shows that the facility has failed to provide safe quality care to residents, ADSA actions can range from work with the facility (to correct problems and ensure against repetition) to citation, fine, or stop placement. When appropriate, ADSA can forward information to other agencies such as local law enforcement.

Resident Protection Program in nursing homes

In calendar year 2004, the Resident Protection Program (RPP) investigated 446 allegations of abuse, neglect and misappropriation by nursing home employees. A department finding of guilt prevents that person from working in nursing homes on a permanent basis.

Investigations may include rape, physical or verbal assault, neglect, and financial exploitation as well as cases of a more insidious nature such as resident intimidation, humiliation or harassment. Many times RPP is able to make findings where criminal convictions or licensing actions are not possible.

In 2004, investigations resulted in 20 final findings (12 of abuse, 1 of neglect and 7 of misappropriation).

Suspected abuse, abandonment, neglect, self-neglect, or financial exploitation of a vulnerable adult living at home – Adult Protective Services (APS)

Reports of suspected abuse, abandonment, neglect, self-neglect, or financial exploitation about a vulnerable adult in the community are directed to the Adult Protection Services regional number (numbers are listed on the left). Reports are prioritized. An APS investigator will make a home visit, interview the alleged victim, the alleged perpetrator, and other people who may have information, and offer protective services as soon as the investigator determines that the vulnerable adult needs protection. APS will report to law enforcement if a crime is suspected, or file for an injunction if access to the alleged victim is denied.

Remedies can include assisting vulnerable adults with protection orders, filing for guardianship, providing a referral for legal assistance, referrals to case management, in-home care services, long-term care residential services, and referrals to other agencies.

The vulnerable adult or legal representative must give written consent for protective services and may end the services at any time.

APS conducts an investigation at no charge and without regard to the income of the alleged victim. Some protective services may be provided without cost. However, APS is not able to remove the alleged victim from his/her home without his/her permission, or detain the vulnerable adult due to capacity issues.

Additionally, APS field staff participate in community task groups addressing the awareness and prevention of, and the protection against, the abuse, abandonment, neglect, self-neglect, and financial exploitation of vulnerable adults.

2004 APS Number of Reports and Substantiations of Abuse, Abandonment, Neglect, Self-Neglect, and Financial Exploitation
Types of reports and the numbers substantiated statewide in 2004.

Approximately 1/3 of all APS investigations are on behalf of vulnerable adults under age 60 living in the community

Type of Report	Reports Statewide	Substantiated Statewide
Physical Abuse	2040	120
Mental Abuse	2260	121
Sexual	485	42
Financial Exploitation	3281	250
Neglect	2838	127
Self-Neglect	2944	436
Abandonment	56	7
Exploitation of person	978	44

Statewide, every day ADSA receives an average of over 100 calls about abuse or neglect.

Two free brochures are available on this topic:

Partners Against Adult Abuse: A Reporting Guide for Mandatory Reporters, DSHS 22-810(x)

We Are All Partners Against Adult Abuse, DSHS 22-495(x)

You can order copies of the brochures from the DSHS Warehouse by:

- e-mail (DSHSFPW@dshs.wa.gov),
- fax (360/664-0597) or
- written request (DSHS Warehouse, P. O. Box 45816, Olympia, WA 98504-5816) with the name of the brochure, the publication number (DSHS 22----[x]), and how many you want. Be sure to include your mailing address.

Updated by C. Sloan and C. Buckingham

Photo by Carole Huff

Visit our website www.adsa.dshs.wa.gov